



## Town Of Myersville

TOWN HALL  
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Myersville, MD 21773

Planning Office

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## ANNUAL REPORT 2010

### Mayor & Council

Wayne Creadick, Mayor (2008-2012)  
Mark Hinkle, Vice President (2008-2012)  
Mark Flynn (2010-2014)  
Matt Pridham (2006-2010)  
Brett Bidle (2010-2014)  
Gary DeMoss (2010-2014)  
Mark Etheridge (2008-2012)

Kristin Aleshire, Town Manager  
Ray Hinkle, Treasurer  
Kathy Gaver, Town Clerk

### Myersville Planning Commission

Donna Squires, Chairman (2010-2013)  
Sandy Reed (2005-2010)  
Laura Sweeny (2010-2013)  
Dave Sexton (2010-2015)  
Monty Bussard (2010-2015)  
Matt Pridham, Council liaison (2008-2010)  
Brett Bidle, Council liaison (2010-2014)

### Myersville Board of Appeals

John Brown, Chairman (2008-2011)  
Carolyn Burelbach (2008-2011)  
Michael Collins (2008-2011)  
Bill James, Alternate (2008-2011)

### Town Planning & Zoning Administrator

Bradford R.R. Dyjak

Approved April 12, 2011

## **Introduction**

Article 66B of the Annotated Code of Maryland requires the Planning Commission annually to prepare, adopt, and file with the Town Council a report of all changes in land use, transportation, community facilities, zoning map amendments, and subdivision plats. The report should also include a determination of whether each change is consistent with each other, the Comprehensive Plan, the plans of adjoining jurisdictions, state and local plans, and the recommendations made in the last annual report. The last report was prepared for 2009.

The report shall also include recommendations for improving the planning and development process within the Town. The Town Council shall review the annual report and take actions as appropriate and necessary to insure the continuation of a viable planning and development process.

## **2010 Town Highlights**

- **March** - Mayor and Council adopted the revised Comprehensive Plan.
- **April** - Demolition of Old Town Hall completed.
- **April** – SHA reopens Rest Stops along I-70 just west of town.
- **Spring** - Analysis of Water and Sewer Rate Structure
- **Spring/Summer** - Acquisition of additional acreage at Pleasant Walk Park
- **June** - MTA Commuter Bus service extended to Ventrice Court Park & Ride
- **July** - Creation of Open Space & Trails Ad-hoc Committee
- **August** - Completion and grand opening of Doub's Meadow Park – Main Street Hiker/Biker Trail
- **September** - Enhanced safety features along Main Street, Wolfsville Road and Trolley Lane intersection
- **Fall** - Commencement of Doub's Meadow Park restroom improvements
- **October** – Mailing of Parks and Recreation Survey
- **November** - Sewer System Smoke Test
- **November** – Open Space & Trails Committee holds Town park field trip

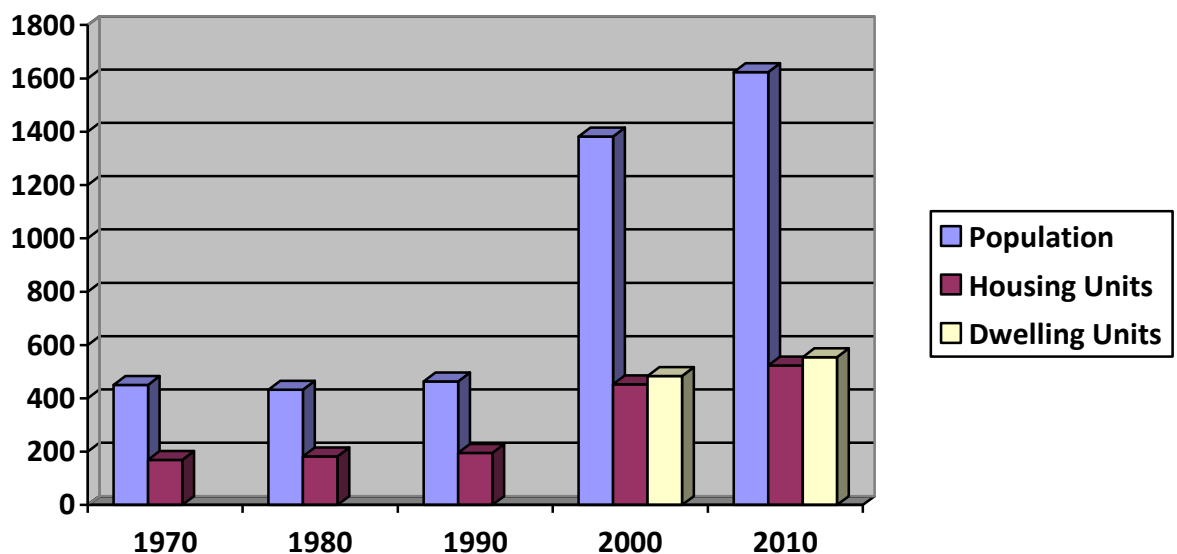
### Population in Myersville

Year	Population	Housing Units
1970	450	169
1980	432	182
1990	464	196
2000	1,382	453
2007	1,530	516
2008	1,539	519
2009	1,545	521
<b>2010</b>	<b>1,624</b>	<b>523</b>

Total Residential Dwelling Units 2010: 554 (combination of apartment units, duplexes and single-family units) with an average of 2.93 residents per dwelling unit.

Note #1: Population estimates after census 2000 and before census 2010 are based on town data survey.

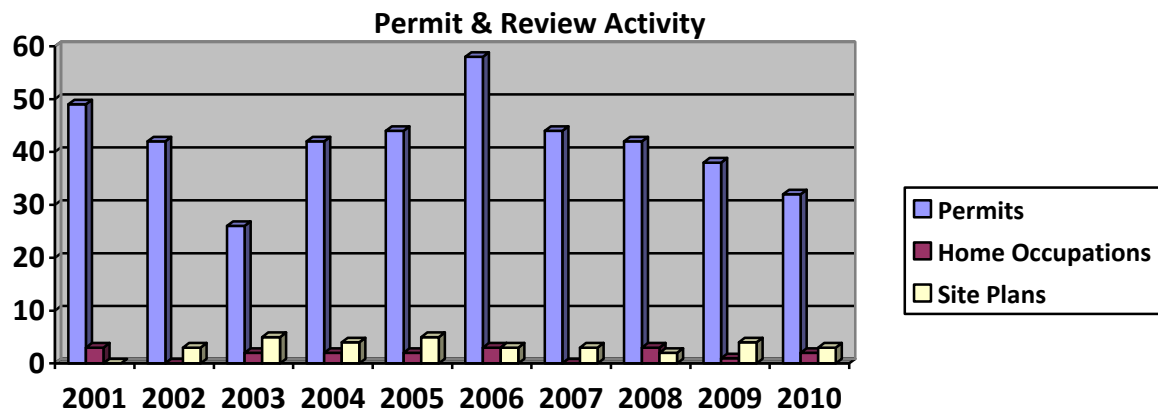
Note #2: The significant population increase to 2010 is a result of survey undercounts of Town's actual 18> population. The Town ranked highest among the communities in Frederick County for percentage of households with children under 18 according to the Census American Community Survey at 53% compared to a County average of 39%.



## Permit Activity

Permit Type	2009	2010
New Single Family	2	2
Addition (porch, deck, etc.)	7	6
Accessory Structure	9	2
Interior Alteration (Res.)	-	2
Fence	4	4
Pools/Hot Tubs	2	0
Non-Residential Renovations	1	3
Home Occupations	1	2
Basement	1	1
Change of Use/Owner	2	1
Signs	6	5
Demolition	1	0
Driveway	1	0
Storage Container	1	4
<b>Total</b>	<b>38</b>	<b>32</b>

County Approved: **16 / 19**    Town Review Only: **16 / 19**    Use & Occupancy Certificates: **3 / 2**  
 Voided or Expired: **2**



## Annexations

The Planning Commission reviewed a conceptual presentation on the potential uses for Ms. Janis Young's 5.35 acre property between US 40 and MD 17/Wolfsville Road to determine its suitability for future annexation. The applicant sought comments from the Planning Commission prior to submitting a formal petition for annexation with the Town; It was determined that the proposal as presented would not be able to receive a favorable recommendation from Planning Commission if it were to be formally submitted due to it being inconsistent with several aspects of the Comprehensive Plan. However, *no formal petition* for annexation was made to the Planning Commission and discussions on this property may continue in the future.

There were no formal initiations of or requests for annexation during 2010.

## **Subdivisions & Minor Developments**

The following table represents various plans reviewed by the Myersville Planning Commission in 2010, with two of these receiving approvals. No other development plans were submitted for approval and *no project applications were denied as a result of failing a Town Adequate Public Facilities Ordinance test in 2010.*

<b>Applicant</b>	<b>Plan Type</b>	<b>Location</b>	<b>Description</b>	<b>Map #</b>
Saber Ridge, LLC.	Final Addition Plat– Lots 17 & 19	Hunters Knoll	Placing previously approved lots into remainder and recording two lots approved by site plan. Conditionally Approved in 2009 and recorded in 2010 following agency approval.	<b>1</b>
Mr. Charles Pearl	Addition Plat	Monument Road & Main Street	<i>Application submitted but withdrawn prior to PC review.</i>	<b>2</b>
Myersville Parks & Recreation Committee	Temporary Site Plan	Myersville Municipal Center & First United Bank parking lots	Approval of Farmers' Market event site plan	<b>3</b>
Bidle Brothers, Inc.	Combined Preliminary/ Final Plat	Ventrie Court	<i>Reviewed plans for project outside of Town limits that is within the growth area and planned water &amp; sewer service areas and provided comments to County.</i>	<b>4</b>

## **Board of Zoning Appeals**

There were no cases brought before the Myersville Board of Zoning Appeals in 2010.

## **Text Amendments**

2010-03 An ordinance to exempt the Town of Myersville from the Adequate Public Facilities Ordinance applying to schools adequacy testing for lands annexed by municipalities after June 23, 2009 enacted by the Frederick County Board of County Commissioners (Ord. No. 09-28-532). The approval of this ordinance reaffirms the Town's sovereign planning authority and *does NOT* rescind the Town's existing APFO approved in 2005 that includes a schools testing component.

2010-06 An ordinance to re-establish the staggering of Planning Commission terms and subsequently to define the duration of each of the four terms appointed in 2010 in the Town Code. The approval of this text amendment returns the Planning Commission terms into compliance with Article 66B of the Annotated Code of Maryland.

## **Rezoning-Map-Amendment**

The Comprehensive Plan was adopted by the Mayor and Council in March and with it the associated comprehensive zoning map was also adopted. There were no changes to the comprehensive zoning designations for properties within the Town limits from current designations and there were no requests or Town initiated changes in 2010.

## **Infrastructure Improvements**

### **Transportation**

*Main Street* – The Town conducted a walking inspection of the Town-owned portion of Main Street between Wolfsville Road and Church Hill Road with its engineers and developed a plan for preliminary engineering to build upon the surveying of Main Street that was completed in 2009. The scope of proposed improvements will include removal of undersurface trolley tracks, retrofitting of water and sewer pipelines, sidewalk repair and replacement, curb and gutter repair, resurfacing of roadbed and potential streetscaping enhancements. All improvements will be evaluated as funding becomes available and final improvement plans would still need to be formalized following the conclusion of subsequent engineering studies. [MAP #5]

*Intersection Improvements* – The Town requested the assistance of the State Highway Administration to enact safety enhancements for the Main Street, Wolfsville Road and Trolley Lane intersection which concluded in September. These improvements included extended parking restrictions proximate to the intersection and along Trolley Lane, new striping and road marking patterns, enhanced warning signage and enhanced notification and directive signage. [MAP #6]

*Commuter Bus Service at Park & Ride* – In June, the Maryland Transit Administration extended its Commuter Bus Route 991 line stops to include seven morning and nine afternoon stops at the Myersville Park & Ride lot located on Ventrie Court near Myersville-Middletown Road. The 991 line has termini in Hagerstown and Rock Springs Business Park, including a stop at the Shady Grove Metro Station. Staff also met with County, SHA and MTA officials to prepare an expansion of the Park & Ride lot – with scheduled engineering funding slated for Fiscal Year 2012. Staff observations and records show that the Average daily usage of the lot (not bus usage) was 58 vehicles from August – December 2010 with a rated capacity of 64 spaces. [MAP #7]

*Doub's Meadow Hiker/Biker Trail Project* – Was completed in July and officially opened at a ribbon-cutting ceremony on August 7<sup>th</sup> in conjunction with the Annual Band Jam organized by the Parks and Recreation Committee. The opening of this trail, which included the construction of a low-pressure sewer line extension to connect with an existing line serving the Doub's Meadow Park pavilion, provided a

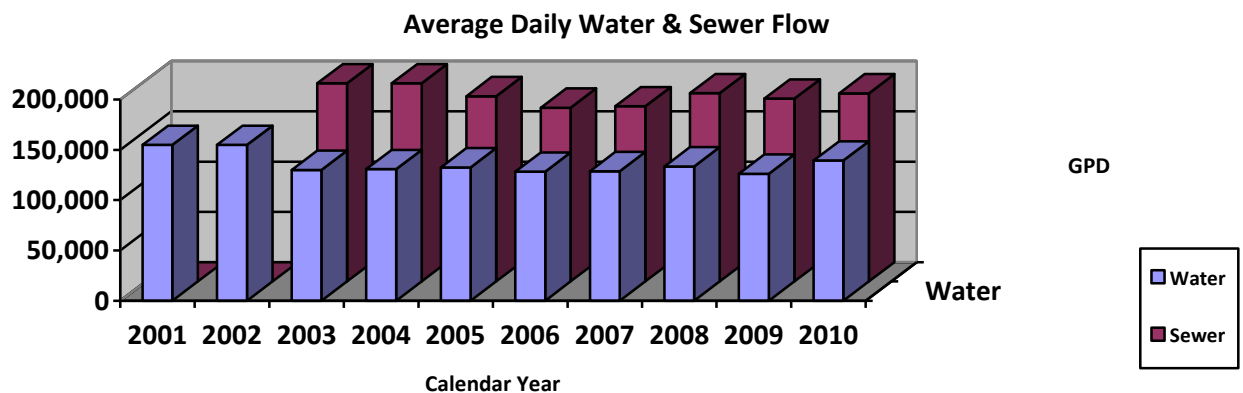
vital 1/3 mile link from Main Street to the athletic fields at the Town's primary park, Doub's Meadow. It also contributed towards advancing the goals expressed in the Myersville Comprehensive Plan to extend pedestrian trails throughout Town via an interconnected network. [MAP #8]

#### Water Supply & Distribution

Water taps are made available at the developer's expense. The Town's average water usage for 2010 was 139,352 gallons per day (gpd), an increase of 10.3% from 2009, and the current daily water capacity draw of the Town is 241,800gpd, with a maximum allowable draw of 412,000gpd.

#### Wastewater Treatment Facilities

Sewer taps are available due to the approved increase in capacity for the upgraded WWTP from 150,000gpd to 300,000gpd granted by the State in 1998. The Town's average discharge in 2010 was 186,992 gallons per day (gpd), an increase of 2.9% from 2009, which includes inflow and infiltration.



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#### Review of Local Construction Projects

There were no local public projects submitted for review for Comprehensive Plan consistency by the Planning Commission within the corporate limits of the Town. There was one project reviewed administratively by the Town's Zoning Administrator and issued appropriate Town zoning certificates and County building permits.

- The Zoning Administrator administratively reviewed and approved a Town proposal to renovate and alter an existing park pavilion at Doub's Meadow Park. A portion of the pavilion that is presently storage space will be retrofitted into public restrooms and the existing snack bar will be upgraded in collaboration with the Myersville Junior Baseball League. It is anticipated that this project will be completed by summer 2011. [MAP #9]

## **Miscellaneous Discussions**

All Planning Commission, Board of Appeals, and Mayor and Council members completed review of the City of Cumberland Planning & Zoning Training Series to meet the state requirements.

The Planning Commission reviewed and discussed several items associated with Comprehensive Plan goals and objectives in wake of the Mayor and Council's adoption. An informal Comprehensive Plan Implementation Schedule was drafted to guide the Planning Commission as it proceeds with reviewing and amending existing Town ordinances and drafting new policies to be consistent with the recommendations contained within the adopted plan over the following year.

A review of the Town's subdivision and land use regulations was initiated in late 2010 and will conclude by mid 2011 with possible text amendments recommended by the Planning Commission to the Mayor and Council.

Additionally, the Planning Commission reviewed the existing signage ordinance and has proposed a complete rewriting of this ordinance. It is envisioned a draft new ordinance would be recommended to the Mayor and Council in the spring of 2011.

## **Changes in County Jurisdiction**

No changes in County Jurisdiction occurred in 2010.

## **Zoning and Enforcement Issues**

The following sections include the various zoning and code enforcement cases handled in 2010 by the Town Zoning Administrator. The Zoning Administrator strives to address all cases professionally, with most cases being complaint-driven and with notice given to the party in question prior to pursuing any fines or penalties. There was one case – water theft – which resulted in the levying and collection of a fine. Note that some cases will fit into more than one category.

### **Zoning and Enforcement Cases (41)**

*Complaints/Regulation Requests (20 + 1 redacted)*

Oversized Vehicles – 2	Home Occupations – 5
Water Theft – 2	Construction – 1
Unsanitary Conditions – 1	Junkyard/Vehicles – 2
Grass/Weeds – 1	
Animals (domestic or wild) – 8 (incl. 1 redacted)	



\*13 of 20 complaints resulted in an enforceable action and of these complaints two are still outstanding for a percentage of 72% of complaints being deemed of merit or resulting in some type of staff action/response. Note - for animal control issues, staff responses are included in this percentage – even if case is referred to County Animal Control.

#### *Zoning Notices/Warnings (14)*

Oversized Vehicles – 2	Home Occupations – 1
Water Theft – 1	Construction – 1
Unsanitary Conditions – 0	Junkyard/Untagged Vehicles – 1
Grass/Weeds – 2	Basketball Hoops in r-o-w – 8
Signage – 2	Tree/Shrub Trimming – 1
Storage Container – 1	
Fence – 1	

#### *Violations or Non-Compliance (13)*

Oversized Vehicles – 0	Home Occupations – 1
Water Theft – 1	Construction – 0
Unsanitary Conditions – 0	Junkyard/Untagged Vehicles – 2
Grass/Weeds – 3	Basketball Hoops in r-o-w – 3
Signage – 1	Tree/Shrub Trimming – 0
Storage Container – 0	Work w/o Permit – 1
Burn Permit Violation – 1	Fence – 0

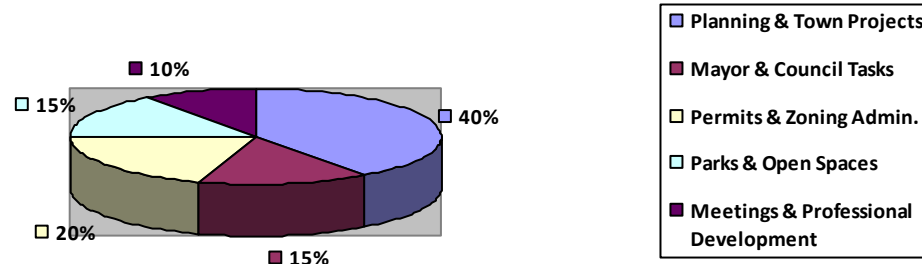
### **Professional Development**

- Chair Squires and Town Planner gave presentations at the MPCA Annual Conference
- Chair Donna Squires was elected Maryland Planning Commissioners Association President
- Town Planner serves on Western Maryland Local Government Exchange Steering Committee
- Town Planner appointed by Frederick County Board of Commissioners to serve as alternate member on Frederick County Board of Zoning Appeals
- All Planning Commission and Board of Appeals members completed MDP-mandated training
- Continued training sessions given for all members
- Town Planner attended seminars on soil geology, watershed implementation, floodplain management, comprehensive planning, zoning administration and code revisions.
- Town Planner hosted Quarterly County & Municipal Planners Meeting in his capacity as planner of the Town of Burkittsville.

## **Staff Responsibilities – Town Planner and Zoning Administrator**

- Staff Liaison
  - Planning Commission
  - Open Space & Trails Committee
  - Parks and Recreation
  - Parks & Recreation coordinator
  - Board of Appeals
- Reviewing Town Projects
- Reviewing Development Plans and Site Plans
- Coordinating with Developers
- Long-range town planning (including Comprehensive Planning)
- Drafting and recommending text amendments/ ordinance revisions
- Assisting Town Manager and Mayor & Council in various policy implementation
- Researching Solid Waste and Recycling Policies
- Assisting in grant writing
- Forest Resources Planner and Inspector
- GIS mapping services and database maintenance
- Zoning Administrator
  - Issuance of Permits and Zoning Certificates
  - Zoning and Code Enforcement
  - Responding to Zoning and Land Use Inquiries
  - Address Assignments

**Estimated Percentage of Staff Time per Responsibility**



## **Summary**

The changes in the town due to the approval of a final plat for two residential lots are consistent with the town's Comprehensive Plan and the county's regional plan for the Middletown Area. Also consistent with the Comprehensive Plan, and consistent with each other, are the text amendments that were recommended for approval by the Planning Commission and subsequently approved by the Mayor and Council. The following recommendations shall help to improve the planning and development process within the Town.

## **Recommendations**

### **Prior Recommendations**

1. Continue to update GIS database with case files and Town attributes.  
*Data layers have been attributed and customized to assist with planning operations. The current system will continue to be evaluated on its effectiveness and upgrades will be included as needed.*
2. To conduct occasional joint meetings between the Mayor & Council and Planning Commission and other community stakeholders on issues of mutual interest. Such issues may include policy implementation of Comprehensive Plan, planning for parks and open space improvements, reviewing public projects and improving traffic circulation and safety. *A joint meeting was held in August 2010 with another scheduled for April 2011. Future, regular joint meetings will be established to continue to discuss issues of mutual interest – especially with regards to developments and capital infrastructure projects.*
3. Promote the Planning Commission’s activities through public outreach and continued member training and conference participation. *Staff have provided monthly updates on Planning Commission business in The Citizen newspaper and quarterly overviews in newsletters enclosed with Town water bills. Other forms of media will need to be explored to continue to expand outreach and promotion.*

### **Long-Range Planning**

4. Implement policies of Comprehensive Plan – develop Implementation Schedule for all stakeholders. *Planning Commission has adopted a Comprehensive Plan Implementation Schedule that prioritized these policy recommendations and continues to review one to two policies/ordinances per meeting for Comprehensive Plan consistency.*
  - a. As part of the Comprehensive Plan implementation process, draft and approve policies expanding various water resources-related conservation and protection in both Water and Sewer System Operations and through revisions to subdivision and development ordinance.
  - b. Continue to protect sensitive water resource areas – wellhead protection, floodplains, wetlands, recharge areas, reduction of non-point source pollution.
  - c. Review stormwater management ordinances and practices in light of Maryland Stormwater Management Act of 2007 regulations and initiate plan for assisting HOAs and Town in maintaining stormwater management ponds.
5. Review infill development guidelines and ensure consistency with Comprehensive Plan. *The Planning Commission began reviewing the Town’s subdivision and land use regulations and will continue to evaluate whether current ordinances are adequate to address infill issues.*

6. Establish a Town Parklands and Open Space Ad-hoc Committee tasked with producing a master plan identifying future needs, future intended uses for open space and funding priorities. *The Mayor and Council created this ad-hoc committee in July with a specific mission and the Committee began holding its monthly meetings in October. The Open Space and Trails Committee held a field trip in November to identify the Town's existing parks and will continue to evaluate each Town park and include recommendations within the Parks and Open Spaces Master Plan.*

#### *Policies*

7. Review, clarify and provide minimum guidelines for erection of signage within Town limits. *The Planning Commission and staff reviewed the Town's current ordinance related to signage in the first half of 2010 and began making recommendations for a complete ordinance rewrite during the latter half of 2010. Staff will present the Planning Commission with a final ordinance draft in early 2011 to recommend to the Mayor and Council for adoption.*
8. Develop and implement historical resources preservation plan. *Staff has contacted both County and State resources to begin identifying significant historical resources and promoting these resources to the public. Efforts will need to be focused in 2011 on locating and securing funding for any initiative and the Planning Commission and Mayor and Council will need to consider implementing a plan to this effect.*
9. The Town will work to promote tourism and economic development through various means including obtaining grant funding and by utilizing its inclusion in the Civil War Heritage Areas and Maryland Scenic Byways. *The Planning Commission recommended an amendment to the Comprehensive Plan that more strongly re-adopts the Heart of the Civil War Heritage Area Management Plan. Staff identified two projects that the Town may pursue in 2011 for HCWHA grant funding opportunities and the Town will continue to explore promotional opportunities for its Scenic Byways designation along MD 17.*

#### *Public Infrastructure*

10. Commence Main Street Enhancement Construction Project. *The Town conducted a walking inspection of the Town-owned portion of Main Street between Wolfsville Road and Church Hill Road with its engineers and developed a plan for preliminary engineering to build upon the surveying of Main Street that was completed in 2009.*
11. Work with SHA on improving traffic safety throughout Town and specifically at the Main Street/Wolfsville Road/Trolley Lane intersection. *Improvements were concluded in September with assistance from the SHA to enhance signage, road markings and increase parking restrictions.*
12. Pursue sidewalk infrastructure improvements through the leveraging of grant funding. *The Town received notification from SHA that it qualified for a 50% state grant for sidewalk improvement funding and explored the possibility of being a "Designated Neighborhood"*

*by the Maryland Department of Housing and Community Development. This designation would enable the Town to leverage larger grants, but was altered and rolled into the “Sustainable Communities Program” also under DHCD. The Town will pursue this designation as well as exploring Safe Routes to School program funding.*

#### Planning Commission 2011 Priority Recommendations

##### *Organizational*

1. Continue to develop regular Planning Commission training opportunities.
2. Draft and adopt basic Planning Commission and Board of Appeals bylaws.
3. Continue joint meetings between the Mayor & Council and Planning Commission.
4. Create long-term Planning Commission business agenda schedule for easier meeting management.
5. Develop a plan to increase Planning Commission outreach and promotion of activities.
6. Develop and Implement Tree Maintenance Program and inspection for Town-owned facilities, parks, Forest Conservation easements, stormwater management facilities and public street rights-of-way.
7. Establish new standing advisory committees that will meet quarterly to assist the Mayor and Council in conducting its business by researching specified issues and making recommendations.
8. Town should evaluate its identity and consider consistent branding and marketing options for tourism, design standards, signage, Town parks and projects. This branding and cohesive sense of identity should be comprehensively implemented across all Town bodies and organizations – possibly coordinated by the Public Relations and Communications Committee.
9. In adopting Parks and Open Spaces Master Plan, the Mayor and Council should consider feasibility of strategies for implementing recommendations, which may include reauthorizing and re-tasking Open Space and Trails Committee to become a standing advisory committee that assists in implementation of goals in concert with Parks and Recreation Committee.

##### *Short-Term Planning*

10. The Town should reapply for the SHA Sidewalk Retrofit Program and work towards earning a designation as a DHCD Sustainable Community.
11. The Town should leverage Heart of Civil War Heritage Area grants for historic interpretive markers and drafting a Historic Resources Plan.

12. Participate in Bicentennial celebration of the National Road and leverage funding opportunities where available.
13. Evaluate planning review procedures to ensure consistency with Comprehensive Plan and evaluate best practices utilized in other small jurisdictions.
14. Adopt a revised subdivision and open space dedication ordinance that is consistent with Comprehensive Plan recommendations.
15. Evaluate traffic safety and explore implementation of traffic calming measures where appropriate.
16. *Explore private financing options/contributions for portions of proposed sidewalk extensions.*

#### *Long-Term Planning*

17. Develop a Historic Resources Plan and strategies in concert with establishing a Historical Society Committee, either as standing committee of the Town or as an affiliated community non-profit organization.
18. Continue the implementation of Comprehensive Plan recommendations.
19. Adopt a Parks and Open Spaces Master Plan as recommended by the Open Spaces and Trails Ad-hoc Committee that provides a comprehensive set of recommendations for existing and future parks, open spaces, trails and sensitive environmental areas. The Plan should address the following:
  - a. Trolley Park improvements
  - b. Pleasant Walk Park management plan
  - c. Grindstone Run Park amenity improvements
  - d. Consider adding lighting along Hiker/Biker Trail
  - e. In adopting the Master Plan, Town should consider the inherent maintenance responsibilities associated with each recommendation. Utilizing local civic organizations and the Gardening and Beautification Subcommittee should be encouraged.

#### *Town Projects*

20. Continue to identify funding opportunities for the Main Street Enhancement Project.
21. Establish an annual Farmers' Market Festival through the Parks and Recreation Committee.